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Intellectual Property Causes
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IPW

Attorney Docket No. P24639

In re application of: J. H. PARK et al.

Application No. : 10/726,622

Mail Stop Amendment
Group Art Unit: 3744

Filed : December 4, 2003

Examiner: H. Tanner

For : MULTI-TYPE AIR CONDITIONER WITH DEFORSTING DEVICE

Mail Stop Amendment

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Transmitted herewith is an **Election with Traverse** in the above-captioned application.

___ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

___ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

___ A Request for Extension of Time.

X No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 28	*28	0	x 9=	\$	x 18=	\$0.00
Indep. Claims: 3	**3	0	x 44=	\$	x 88=	\$0.00
Multiple Dependent Claims Presented			+150=	\$	+300=	\$0.00
Extension Fees for ___ Month(s)				\$		\$0.00
Total:				\$	Total:	\$0.00

* If less than 20, write 20

** If less than 3, write 3

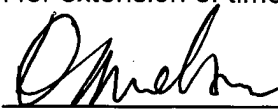
___ Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.

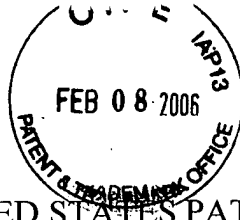
N/A A check in the amount of \$ ____ to cover the *filing/extension* fee is included.

X The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

X Any additional filing fees required under 37 C.F.R. 1.16.

X Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).


Daniel B. Moor
Bruce H. Bernstein Reg. No. 48,214
Reg. No. 29,027



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jong Han PARK et al.

Group Art Unit : 3744

Appl. No. : 10/726,622

Examiner : Harry TANNER

Filed : December 4, 2003

For : MULTI-TYPE AIR CONDITIONER WITH DEFROSTING DEVICE

RESPONSE TO RESTRICTION REQUIREMENT WITH TRAVERSE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir :

In response to the Examiner's restriction requirement dated January 10, 2006, setting a one month period for response extending until February 10, 2006, Applicants elect, with traverse, the invention identified by the Examiner as Group I. Claims 7-28 are considered to be "readable" on the invention of Group I (as set forth by the Examiner).

Applicants would like to express their appreciation to the Examiner for the telephonic interview conducted with their attorney, Mr. Daniel Moon, on February 6, 2006. During the interview, the Examiner confirmed that claim 7 should have been indicated as included in Group I in the restriction requirement, rather than in Group II.

Applicants respectfully traverse the Examiner's restriction requirement.

The Examiner has characterized the relationship between the inventions of Groups I (claims 7-28) and II (claims 1-6) as that of "combination and subcombination". Further, the Examiner has stated in the restriction requirement that the combination does not require the particulars of the subcombination, and that the subcombination has separate utility.


However, even if the Examiner's characterization of Groups I and II as defining a properly restrictable combination and subcombination were to be considered correct, Applicants respectfully request that all of the inventions defined in claims 1-28, nevertheless, be examined in the instant application, pursuant to the guidelines set forth in M.P.E.P. §803. That is, the Examiner is respectfully requested to reconsider the restriction requirement and find that there would not appear to be a "serious burden" on the Patent and Trademark Office in examining claims directed to the non-elected invention since the Examiner will have to search for a defrosting device quite similar to that of claims 1-6 while searching for the multi-type air conditioner of claims 7-28.

It would appear that the search for the inventions identified by the Examiner would be coextensive or at least significantly overlap. That is, if the Examiner were to perform a search for the invention of Group I, there would not appear to be a serious burden in continuing the examination of the other invention of Group II. For this reason, and consistent with office policy as set forth in

M.P.E.P. 803, Applicants respectfully request that the Examiner reconsider and withdraw the restriction requirement.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Jong Han PARK et al.



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February 7, 2006
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